

**32692**

Customer Number

PATENT  
Docket No.: 58182US004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SHALLEY K. GUPTA, TARUN K.  
GHOSH and JASON R. FINK

Serial No.:  
Filed:

For: GENE EXPRESSION SYSTEMS  
AND RECOMBINANT CELL  
LINES

Group Art Unit:

Examiner:

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

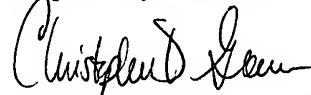
Dear Sir:

Pursuant to 37 CFR §§ 1.56, 1.97, and 1.98, enclosed is a completed Form PTO-1449, citing references submitted for consideration by the Examiner. Copies of any cited foreign patents, non-patent literature, and unpublished US application documents are enclosed. Pursuant to the waiver in the Pre-OG Notice, dated July 25, 2003, copies of US patents and published US patent applications are no longer required and are not enclosed. It is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 to indicate that each reference has been considered.

The Examiner's attention is also directed to a co-assigned, co-pending application which is being filed on the same date herewith and bearing Attorney Docket No. 58183US004. A copy of this application is enclosed for the Examiner's consideration.

Applicants submit that the above references, whether taken alone or in combination with each other neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the captioned application is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Christopher D. Gram".

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Dated: December 10, 2003

Substitute for form 1449A/PTO (modified)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)  Page 1 of 4	<b>Application Number</b>	
	<b>Filing Date</b>	
	<b>In re Application of:</b>	<b>Shall y K. Gupta, Tarun K. Ghosh and Jason R. Fink</b>
	<b>Art Unit</b>	
	<b>Examiner Name</b>	<b>Unknown</b>
	<b>Attorney Case Number</b>	<b>58182US004</b>

U.S. Patent Documents					
Exam. Init.*	Cite No.	Document Number	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Doc. Number-(Kind Code if Known)			
	A1	US- 4,689,338	08-25-1987	Gerster	
	A2	US- 4,698,348	10-06-1987	Gerster	
	A3	US- 4,929,624	05-29-1990	Gerster et al.	
	A4	US- 4,988,815	01-29-1991	Andre et al.	
	A5	US- 5,037,986	08-06-1991	Gerster	
	A6	US- 5,175,296	12-29-1992	Gerster	
	A7	US- 5,238,944	08-24-1993	Wick et al.	
	A8	US- 5,266,575	11-30-1993	Gerster	
	A9	US- 5,268,376	12-07-1993	Gerster	
	A10	US- 5,346,905	09-13-1994	Gerster	
	A11	US- 5,352,784	10-04-1994	Nikolaides et al.	
	A12	US- 5,367,076	11-22-1994	Gerster	
	A13	US- 5,376,501	12-27-1994	Mariën et al.	
	A14	US- 5,389,640	02-14-1995	Gerster et al.	
	A15	US- 5,395,937	03-07-1995	Nikolaides et al.	
	A16	US- 5,446,153	08-29-1995	Lindstrom et al.	
	A17	US- 5,482,936	01-09-1996	Lindstrom	
	A18	US- 5,494,916	02-27-1996	Lindstrom et al.	
	A19	US- 5,693,811	12-02-1997	Lindstrom	
	A20	US- 5,741,908	04-21-1998	Gerster et al.	
	A21	US- 5,756,747	05-26-1998	Gerster	
	A22	US- 5,939,090	08-17-1999	Beaurline et al.	
	A23	US- 6,028,076	02-22-2000	Hirota et al.	
	A24	US- 6,039,969	03-21-2000	Tomai et al.	
	A25	US- 6,069,149	05-30-2000	Nanba et al.	
	A26	US- 6,083,505	07-04-2000	Miller et al.	
	A27	US- 6,110,929	08-29-2000	Gerster et al.	
	A28	US- 6,194,338 B1	02-27-2001	Andolfatto et al.	
	A29	US- 6,194,425 B1	02-27-2001	Gerster et al.	

<b>*Examiner:</b>	<b>Date Considered:</b>
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

<b>Substitute Form 1449/PTO (modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)  Page 2 of 4	<b>Application Number</b>	
	<b>Filing Date</b>	
	<b>In re Application of:</b>	<b>Shalley K. Gupta, Tarun K. Ghosh and Jason R. Fink</b>
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	<b>Examiner Name</b>	Unknown
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		Doc. Number-(Kind Code if Known)			
	A30	US- 6,200,592 B1	03-13-2001	Tomai et al.	
	A31	US- 6,207,646 B1	03-27-2001	Krieg et al.	
	A32	US- 6,239,116 B1	05-29-2001	Krieg et al.	
	A33	US- 6,245,776 B1	06-12-2002	Skwirczynski et al.	
	A34	US- 6,329,381 B1	12-11-2001	Kurimoto et al.	
	A35	US- 6,331,539 B1	12-18-2001	Crooks et al.	
	A36	US- 6,339,068 B1	01-15-2002	Krieg et al.	
	A37	US- 6,376,501 B1	04-23-2002	Isobe et al.	
	A38	US- 6,376,669 B1	04-23-2002	Rice et al.	
	A39	US- 6,387,938 B1	05-14-2002	Mizuguchi et al.	
	A40	US- 6,406,705 B1	06-18-2002	Davis et al.	
	A41	US- 6,426,334 B1	07-30-2002	Agrawal et al.	
	A42	US- 6,476,000 B1	11-05-2002	Agrawal	
	A43	US- 6,451,810 B1	09-17-2002	Coleman et al.	
	A44	US- 6,525,064 B1	02-25-2003	Dellaria et al.	
	A45	US- 6,545,016 B1	04-08-2003	Dellaria et al.	
	A46	US- 6,545,017 B1	04-08-2003	Dellaria et al.	
	A47	US- 6,558,951 B1	05-06-2003	Tomai et al.	
	A48	US- 6,573,273 B1	06-03-2003	Crooks et al.	
	A49	US- 2002/0055517 A1	05-09-2002	Smith	
	A50	US- 2002/0058674 A1	05-16-2002	Hedenstrom et al.	
	A51	US- 2003/0139364 A1	07-24-2003	Krieg et al.	

Foreign Patent Documents						
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		Ctry. Code	Number-KindCode (If known)			
	B1	EP	0 394 026	10-24-1990		
	B2	EP	1 104 764	06-06-2001		
	B3	JP	9-208584	08-12-1997		
	B4	JP	11-80156	03-26-1999		X

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		Ctry. Code	Number-KindCode (if known)				
	B5	JP	11-222432	08-17-1999			X
	B6	JP	2000-247884 (abstract only)	09-12-2000			X
	B7	WO	00/47719	08-17-2000			
	B8	WO	00/75304 A1	12-14-2000			
	B9	WO	00/76505 A1	12-21-2000			
	B10	WO	00/76518 A1	12-21-2000			
	B11	WO	01/74343 A2	10-11-2001			
	B12	WO	02/36592 A1	05-10-2002			X
	B13	WO	02/46188 A2	06-13-2002			
	B14	WO	02/46189 A2	06-13-2002			
	B15	WO	02/46190 A2	06-13-2002			
	B16	WO	02/46191 A2	06-13-2002			
	B17	WO	02/46192 A2	06-13-2002			
	B18	WO	02/46193 A2	06-13-2002			
	B19	WO	02/46194 A2	06-13-2002			
	B20	WO	02/46749 A2	06-13-2002			
	B21	WO	02/085905 A1	10-31-2002			
	B22	WO	02/102377 A1	12-27-2002			
	B23	WO	03/020889 A2	03-13-2003			
	B24	WO	03/043572 A2	05-30-2003			
	B25	WO	03/045391 A1	06-05-2003			

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS		
Exam. Init.*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	Testerman, et al., "Cytokine Induction by the Immunomodulators Imiquimod and S-27609", <u>Journal of Leukocyte Biology</u> , Volume 58, pp. 365-372, September 1995.
	C2	Chollet, et al, "Development of a Topically Active Imiquimod Formulation", <u>Pharmaceutical Development and Technology</u> , 4(1), pp 35-43 (1999)

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	C3	Hornung et al., "Quantitative Expression of Toll-Like Receptor 1-10 mRNA in Cellular Subsets of Human Peripheral Blood Mononuclear Cells and Sensitivity to CpG Oligodeoxynucleotides <sup>1</sup> ", <u>The Journal of Immunology</u> , 2002, 168; pgs. 4531-4537.
	C4	Hemmi et al., "Small anti-viral compounds activate immune cells via the TLR7 MyD88-dependent Signaling pathway", <u>Nature Immunology</u> , vol. 3, no. 2; February 2002; pgs. 196-200.
	C5	Medzhitov, "Toll-Like Receptors and Innate Immunity", <u>Nature Reviews Immunology</u> , Vol. 1; November 2001, pgs. 135-145.
	C6	Jurk et al. "Human TLR7 and TLR8 independently confer responsiveness to the antiviral compound R-848", <u>Nature Immunology</u> , June 2002, vol. 3, no. 6; pg. 1.
	C7	Akira et al., "Toll-like receptors: critical proteins linking innate and acquired immunity", <u>Nature Immunology</u> , August 2001, vol. 2, no. 8; pgs. 675-680
	C8	Yamamoto et al.; "Essential role for TIRAP in activation of the signalling cascade shared by TLR2 and TLR4"; <u>Nature</u> ; Vol. 420; November 21, 2002; pgs. 324-337
	C9	Alexopoulou et al.; "Recognition of double-stranded RNA and activation of NF- $\kappa$ B by Toll-like receptor 3"; <u>Nature</u> ; Vol. 413; October 18, 2001; pgs. 732-738
	C10	Flo et al.; "Involvement of Toll-like Receptor (TLR) 2 and TLR4 in Cell Activation by Mannuronic Acid Polymers"; <u>The Journal of Biological Chemistry</u> ; Vol. 277, No. 38, September 20, 2002; pgs. 35489-35495
	C11	Chuang et al.; "Toll-like receptor 9 mediates CpG-DNA signaling"; <u>Journal of Leukocyte Biology</u> ; Vol. 71, March 2002; pgs. 538-544
	C12	Schwandner et al.; "Peptidoglycan- and Lipoteichoic Acid-induced Cell Activation Is Mediated by Toll-like Receptor 2"; <u>The Journal of Biological Chemistry</u> ; Vol. 274, No. 25, June 18, 1999; pgs. 17406-17409
	C13	Brassard et al.; "Interferon- $\alpha$ as an immunotherapeutic protein"; <u>Journal of Leukocyte Biology</u> ; Vol. 71; April 2002; pgs. 565-581

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